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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined fourth and fifth periodic reports of Georgia

Addendum

Replies of Georgia*

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1. Legislative and institutional framework

1. Ministry of Justice of Georgia (MoJ) has drafted Law on Elimination of All Forms of Discrimination. Working group has examined and analyzed all relevant international legal acts, as well as legislation of foreign states, predominantly of EU Member States. In June, 2013 the draft was discussed with the relevant governmental institutions. Following the discussions within the governmental sector, in July 2013 the draft was presented to the diplomatic corps and to the civil society sector for comments and recommendations. The meetings were held with representatives from civil society sectors, among them were organizations working on human rights issues, religious and ethnic minority representatives and organizations working on the rights of disabled people. By July 22, 2013, the civil society sector presented their recommendations and comments concerning the draft law. At the same time, draft law went through international expertise: recommendations from ODIHR, ECRI, OHCHR and the Swedish expert (selected with the assistance of the EU delegation in Georgia) have been received. MoJ reflected the above-mentioned recommendations in the draft law and presented the final draft to NGOs and governmental institutions. The draft law is to be presented to the Parliament in January 2014.

2. Purpose of the law shall be elimination of all forms of discrimination and ensure for every person equal enjoyment of rights prescribed by law irrespective of race, color, language, national, ethnic or social belonging, sex, sexual orientation or gender identity, pregnancy or maternity, marital or health status, disability, age, nationality, origin, place of birth, place of residence, internal displacement, social status, religion or belief, political or any other ground.

3. According to draft law any form of discrimination, being it direct or indirect, shall be prohibited in Georgia. Multiple discrimination i.e. discrimination on the basis of two or more grounds shall also be prohibited.

4. Discrimination shall be prohibited in all spheres, both public and private, including, but *not limited to*: labour relations; social security and health care; pre-school education, education, access to education and learning process; culture and creative art; science; elections; civil and political activities; justice; state services; use of goods and services; housing; entrepreneurship and banking; usage of natural resources; etc.

5. Elimination of discrimination and ensuring of equality shall be monitored and controlled by the Inspector for Equality Protection (Inspector) — independent official elected by the Parliament of Georgia for a term of 4 years. Inspector shall be independent in exercising of his/her functions and pressure on inspector or interference in his/her activities shall be prohibited and punished by law. Additionally, Inspector shall enjoy immunity against criminal prosecutions/ procedures in accordance with the Georgian legislation. Inspector shall also have the administration. Salaries and expenses of Inspector and his/her staff shall be paid/covered from the state budget.

6. In order to carry out its functions Inspector shall be entitled to:

- examine complaints of persons who consider themselves to be victims of discrimination;

- examine facts of the alleged discrimination on applications of third persons or *proprio motu*;
- make legally binding decisions: to adopt administrative resolution and impose fine on the perpetrator, whether natural or legal person, governmental agency or self-governmental institution and to determine measures for the perpetrator in order to restore violated equality.

7. Inspector shall be also entitled to carry out other functions, such as conducting appropriate activities to raise public awareness on discrimination, collect data, etc.

8. As for relations of Inspector with Public Defender of Georgia following points should be highlighted:

- For the purposes of ensuring of equality Inspector shall be entitled to monitor activity of both governmental organizations and private actors, unlike Public Defender whose authority is limited to monitor activities of public authorities;
- Inspector shall be entitled to fine perpetrators of discrimination (natural or legal person, governmental agency or self-governmental institutions), while Public Defender, mainly, makes recommendations;
- According to draft law Inspector shall have to cooperate with Public Defender, particularly, in dealing with intersection applications: if during examination other human rights violations are detected by Inspector, he/she submits the case to Public Defender as well;
- Inspector shall be entitled to address to Public Defender with request of application to Constitutional Court of Georgia to declare unconstitutional any normative act he/she considers to be in conflict with human rights provisions of the Constitution.

9. According to the draft law, temporary special measures aimed at encouraging of equality, especially in gender issues, shall not be considered to be discrimination.

10. Centre of Children's Rights of the Public Defender of Georgia was established in 2001. The Center's activities are based on the principles of the UN Convention on Children's Rights. The Centre is guided by the Constitution of Georgia, the relevant International conventions and treaties, Organic Law of Georgia "Concerning the Public Defender", "Regulation of the Public Defender's Office of Georgia", "Regulations of the Centre of Children's Rights of the Public Defender of Georgia" and existing legislation of Georgia.

11. Mission of the Centre: providing protection of children's rights, encouraging changes in laws and procedural issues for children's benefit, facilitation of real implementation of children's universally recognized rights and freedoms, implementation of educational activities for popularization of basic children's rights and freedoms and rising of citizen's legal awareness in this sphere.

12. Functions of the Centre: monitoring of children care organizations, examination/investigation of specific cases of violation of children's rights and response to those, development of recommendations for legislative and administrative authorities.

13. The Centre is obliged to examine applications and claims in the case, if the applicant considers disputable the decision of administrative authority entered into

legal force, or when the application/claim concerns the fact of violation of child's rights and freedoms. The Center's service to the interested persons is free. Applications are received by the Department of Citizen's Applications and Receipt of the Public Defender's Office of Georgia. In the case of revelation of the fact of violation of the child's rights in the application, the issue will be studied by the Centre of Children's Rights.

14. The following persons apply to the Centre: child, whose rights were violated; the child's parent or relative; any third person who considers that the child's rights were violated.

15. Currently, the Government of Georgia is elaborating the Unified Strategy on Human Rights, which aims at setting up a Coordination Body on Human Rights under the auspices of the Prime-Minister's Office, which will generally deal with the Human Rights issues in Georgia, including the Rights of Women and Children.

2. National machinery for the advancement of women

16. In 2010, after the adoption of the Law on Gender Equality and respective amendments to the Parliamentary Rules of Procedure in 2010, the Gender Equality Council (GEC) became a permanent body within the Parliament. The Council can be chaired by the Speaker or Vice-Speaker of the Parliament.

17. The Council is mandated to:

- Draft national action plans in the field of gender equality and women's empowerment in close consultation with the government and present to the Parliament for adoption;
- Carry out gender analysis of existing legislation and draft-laws, in order to integrate gender equality principles and create a legislative basis encouraging gender equality by way of consultations with executive authorities and other relevant stakeholders;
- Consider submitted applications, documents and other information with respect to violation of gender equality, respond and develop relevant recommendations within the Council's authority;
- Submit an annual report on the state of gender equality in the country to the Parliament of Georgia, prepare reports on the progress of fulfilment of international obligations on gender equality;
- Represent the Parliament of Georgia on gender-related issues in international relations;
- Within parliamentary mandate summon government representatives once a year to the Parliament hearing to report on the implementation of action plans in the area of enhancement of gender equality and women's empowerment gender equality; exercise periodic oversight over the National Action Plan (NAP) implementation;
- Raise awareness of the Members of the Parliament on gender equality issues and cooperation with other standing bodies in the Parliament with the purpose of integrating gender equality issues into their activities;
- Ensure participation for CSOs in its work.

18. The Speaker of Parliament defines the composition of the Council. After the 2012 elections, a new Council has been established and it includes 12 Members of the Parliament (6 male and 6 female representatives). Though the members were nominated by the parliamentary factions, the interest towards the gender equality was so high that five Chairs of parliamentary Committees (Human Rights, European Integration, Defense, Environment and Agrarian Issues) and the Minority Leader joined the Council, the First Deputy-Chairperson was charged with chairing the Council.

19. As far as the members of Gender Equality Council are MPs, they perform their duties within the competence. Specific budget for GEC was not ever allocated. However, some remuneration has been considered for inviting additional specialist, if necessary, in a new budget.

20. Based on the consultations with local and international organizations working on gender issues, the decision was made to work with NGOs through thematic groups as issues arise, in order to ensure broader participation of civil society in improving gender equality in Georgia.

21. Gender Equality Council in cooperation and coordination with the Ministries and CSOs prepared new NAP for 2014-2016. One of the objectives is developing and enhancing the institutional mechanisms for gender equality. The activity planned for the Empowerment of the Gender Equality Council of the Parliament of Georgia considers increase of effectiveness of the Council performance and promotion of fulfilment of its function through adding one staff-gender equality specialist financed by the state budget.

22. GEC was established within the Parliament in 2009. The Council is chaired by Vice-Speaker of the Parliament. The Council brings together members of parliament, also governmental and non-governmental representatives are the invited members of the council. They are invited to discuss and elaborate recommendations on gender issues, to ensure that women's voices are heard on an equal footing with men in formulating public policy and decision-making at the national and local levels.

23. Gender Equality Council acts as a lobbying unit for gender issues and focuses its activities on the following aspects: elaboration of proposals and recommendations on National Gender Policy, setting out the actions to integrate gender equality in all spheres and sectors of the political, economic and social life in Georgia; ensuring gender mainstreamed legislation and approximation of Georgian Legislation to the European Union Law (*EU acquis*) pertaining gender equality; observing the implementation of the international agreements and conventions involving the rights of women and gender equality issues; cooperation with international and local organizations working on gender issues.

3. Violence against women

24. Government of Georgia (GoG) prioritizes combating violence against women including domestic violence. For that reason, Georgian authorities have developed comprehensive policies and programmes aimed at achieving women's equality with men, addressing all types of discrimination and violence against women.

25. As for the legislation, GoG adopted Law on Elimination of Domestic Violence, Protection and Assistance of the Victims of Domestic Violence (the Law) which entered into force on June 9, 2006.

26. The Law also provides the protecting and preventing measures for the victims of domestic violence. It presents Crisis Centre which operates in parallel with shelters. It also supports psycho-social rehabilitation and urgent medical service for the victims. Additionally, Crisis Centre provides legal assistance for the victims of domestic violence. Furthermore, the Law provides issuing restrictive and protective orders in order to eliminate domestic violence.

27. Apart from the administrative measures, GoG criminalized domestic violence in June 2012. Two new provisions were introduced to the Criminal Code of Georgia (CCG) - Article 126,[1] which specifically defined the scope of domestic violence and Article 11[1] which established the categories of domestic violence.

28. According to this Article, *violence, systematic abuse, blackmail, humiliation of a member of family by another member that has led to physical pain or suffering except if a result of an act was the one described in articles 117, 118 or 120 of the code (Intentional harm to the health of a person)* amounts to a criminal conduct.

29. The new Article 126[1] gave the broad definition of family members, which includes spouse, mother, father, grandfather, grandmother, son/daughter (stepchild), adopted child, adoptive parent, spouse of the adoptive parent, foster child, foster parents (foster family), guardian, grandson/granddaughter, brother, sister, parents of the spouse, brother in law, sister in law, former spouse, individuals who share/shared domestic household.

30. Along with Article 126, there are administrative law remedies for the victims of domestic violence in cases when violence does not amount to a criminal conduct (for example psychological violence). The Law on "Prevention of Domestic Violence and Protection and Aid of Victims of Domestic Violence" grants the possibility of issuing restrictive or protective orders as a temporary measure for the protection of the victims of domestic violence. Protective orders are issued by the courts of the first instance. Restrictive orders are issued by police officer. An order is later approved by the court.

31. Apart from this, new Article 11[1] of CCG introduces novelty of categorization of domestic violence. Domestic crimes are crimes committed by one family member against another and envisaged by CCG under following Articles: 108 (*Premeditated Murder*), 109 (*Premeditated Murder under Aggravating Circumstance*), 115 (*Bringing to the Point of Suicide*), 117-118 (*Damage to Health*), 126-126[1] (*Violence/Domestic Violence*), 137–141 (*Crimes Against Sexual Freedom and Inviolability*), 143 (*Unlawful Deprivation of Liberty*), 144–144[3] (*Kidnapping/ Torture/Inhuman and Degrading Treatment*), 149–151 (*Illegal Placement or Arrest in Mental Hospital/Coercion/Threatening*), 160 (*Trespass*), 171 (*Involving Minor into Anti-Social Activity*), 253 (*Engaging in Prostitution*), 255-255[1] (*Illicit Production or Sale of Pornographic Piece or Other Object*), etc

32. Supreme Court of Georgia provides the gender based statistics on the court cases related to the restrictive and protective measures:

33. In 2012, in 285 (94, 7 %) out of 301 *restrictive* order-related cases, the victim was a female. In 2013 females were victims in 239 (95, 6 %) out of 250 *restrictive* order cases.

34. In 2012, women were victims in 64 (92, 7 %) out of 69 *protective* order-related cases. In 2013, 69 *protective* measure-related cases have been heard, in 66 (95, 5 %) of them victims have been women.

Overall statistical data on domestic violence in 2012-2013

		12.06.2012-31.12.2012			01.01 2013-31 12.2013		
Regions	*Articles of CCG*	*Investigations*	*Prosecutions*	*Victims*	*Investigations*	*Prosecutions*	*Victims*
Georgia	11¹-126¹	47	37	78	395	148	366
	11¹-126	1	1	5	33	5	14
	11¹-118	6	1	1	33	12	14
	11¹-125	1	0	0	26	1	5
	11¹-120	2	6	9	43	26	40
	11¹-121	0	0	0	1	0	0
	126¹	53	4	14	79	7	27
	11¹-151	1	4	4	4	10	14
	11¹-108	0	5	0	1	8	0
	11¹-117	0	0	1	0	11	8
	11¹-139	0	0	0	1	0	0
	11¹-19-108	0	0	0	1	6	3
	11¹-381¹	0	0	0	1	1	0
	11¹-124	0	0	0	0	1	1
Tbilisi	11¹-126¹	13	4	7	88	22	47
	11¹-126	1		1	12	1	1
	11¹-118				19	1	2
	11¹-125				23	1	4
	11¹-120			2	37	5	4
	126¹	10	1	1	26	2	2
	11¹-151				1	4	3
	11¹-108		4		1	3	
	11¹-117			1		4	2
	11¹-19-108					1	
Shida Kartli	11¹-126¹	20	24	47	111	30	114
	11¹-126			2	2	1	5
	11¹-118					1	
	11¹-120		3	1		6	12
	126¹	26	3	8	9	1	2
	11¹-151		2	2	1	1	2
	11¹-117					3	3
Kvemo Kartli	11¹-126¹	4		10	59	23	47
	11¹-126			1	9	2	2
	11¹-118	2			4	3	4

Regions	Articles of CCG	12.06.2012-31.12.2012			01.01.2013-31.12.2013		
		Investigations	Prosecutions	Victims	Investigations	Prosecutions	Victims
	11¹-125						1
	11¹-120	2		1	1	4	7
	11¹-121				1		
	126¹	3		2	23	3	9
	11¹-151	1	1	1	2	3	3
	11¹-117					1	1
	11¹-139				1		
	11¹-19-108					1	1
Kakheti	11¹-126¹	6	3	4	58	19	63
	11¹-126				4		3
	11¹-118	2	1	1	3	1	1
	11¹-125				1		
	11¹-120			1	2	5	11
	126¹	1		2	5		1
	11¹-151					1	2
	11¹-19-108					2	1
	11¹-124					1	1
Samtskhe-Javakheti	11¹-126¹	1	5	6	28	43	47
	11¹-126		1	1	1		
	11¹-118					1	1
	11¹-125	1					
	11¹-120		2	3		1	
	126¹	2			1		
	11¹-151		1	1			
West Georgia	11¹-126¹			2	16	5	24
	11¹-126				4	1	3
	11¹-118	2			5	2	3
	11¹-125				2		
	11¹-120				3	2	4
	11¹-121						
	126¹	3		1	2		2
	11¹-108		1			5	
	11¹-117					2	2
	11¹-19-108				1	2	1
	11¹-381¹				1	1	
Samegrelo	11¹-126¹		1	2	5	3	8
	11¹-126				1		
	11¹-118				1	1	1

Regions	Articles of CCG	12.06.2012-31.12.2012			01.01.2013-31.12.2013		
		Investigations	Prosecutions	Victims	Investigations	Prosecutions	Victims
Adjara	11[1]-120		1	1		2	2
	126[1]	3			5		7
	11[1]-126[1]	3			30	3	16
	11[1]-126						
	11[1]-118				1	2	2
	11[1]-120					1	
	126[1]	5			8	1	4
	11[1]-151					1	4
	11[1]-117					1	

35. GoG acknowledges the importance of combating domestic violence. For the reason, GoG made a decision to ratify Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

36. Special Working Group was established under the Interagency Council to elaborate the legislative amendments in order to harmonize the national legislation with CoE Convention. The draft of amendments is being discussed in the Parliament.

37. LEPL State Fund for Protection and Assistance of the Victims of Trafficking ensures the victims of domestic violence with assistance and protection of their legal interests, with asylum, legal, psychological, medical and/or other forms of service, also with promotion of their full reintegration in family and society. By the Decree N 17/07/01 of July 17, 2013, of the President of Georgia, the Action Plan for 2013-2015 on Combating Domestic Violence and Implementing Measures for Protection of Victims of Domestic Violence was adopted, which foresees detection of the victims of domestic violence, their protection and rehabilitation, ensuring with shelters for the victims of domestic violence.

38. The Legal Aid Service of Georgia has specifically trained lawyers with the support of the State Fund in the issues relevant to the convention targeting gender based violence, domestic violence related particular matters, as well as trafficking in persons, particularly women and children. MoJ organized trainings for prosecutors regarding the criminalization of domestic violence. 447 prosecutors were trained on domestic violence in August 2012.

4. Participation in political and public life and decision-making

39. Government of Georgia closely cooperates with international and local NGOs with the purpose of awareness raising on gender equality. In 2012 trainings and workshops were organized by UN Women in cooperation with Geneva Centre for the Democratic Control of Armed Forces (DCAF) for the representatives of governmental institutions. The main aims of the trainings were to strengthen the implementation of gender perspectives in security sector. Furthermore, representatives of GoG (Ministry of Justice, Ministry of Internal Affairs, Ministry of Defence, and Trafficking in persons (TIP) State Fund) participate in International Training Program on UNSCR 1325 on Women, Peace and Security, which is organized by Swedish International Development Agency (SIDA). The main

objectives of the trainings are to promote the implementation of UN Security Council Resolution 1325, empower women and increase their participation in security sector. In addition, representatives of MOJ participated in CoE conference on gender Equality and Joint Program "To Enhance Gender Equality in Georgia" which was organized by UNDP in summer 2013.

40. Apart from this, the information tour on strengthening the involvement of women in political and social life was organized by Ministry of Justice of Georgia in cooperation with Civil Development Agency (CiDA). Also, youth conference on gender equality was held in 2011, 24 participants from 5 different regions of Georgia were involved in conference, which covered the following issues: gender policy in Georgia, national legislation of Georgia on gender equality, elaboration of mechanism to eliminate domestic violence in Georgia, etc.

41. Furthermore, on 17-18 September, 2012 the Experts' meeting was held on mainstreaming a Gender perspective into Security Sector Reform. NATO delegation arrived to introduce the efforts and developments of Georgia on Gender issues in security sector.

42. In July 2013, Training — "Gender Analysis of the Legislation" was held for the lawyers of the committees of the Parliament of Georgia.

5. Education

43. In order to ensure availability, readiness and quality of education, the Ministry of Education and Science of Georgia, in collaboration with international organizations, works on recovery and inclusion of children dropped out from educational institutions in an educational process. To this extent, the project "Second Possibility to Receive Education for Socially Vulnerable Children, Children with Behavioral Problems and Children out of Educational Process in Georgia" is being implemented, the main aim of which is to create and instil a model of second possibility to receive education through public sector of education in Georgia. Within framework of the project the Board of Advisors has been established. The board includes the representatives of state, non-governmental and international organizations and its function is the coordination and supervision of the project. On the basis of analysis of received data, two basic sectors have been identified: children registered in various state databases and children without personal identity document.

44. Under the above two sectors, the following groups of children being out of schools or children under the risk of being out of schools have been revealed: "street children" (children, who live and work in streets); children from small family houses or day-care centres; reintegrated children — children returned to families; children with disabilities; children from socially vulnerable families; children under foster care; children in closed institutions (children in correction institutions); children without birth registration certificates, not included in the state database system; children from the children houses of the Georgian Patriarchate; early married teenagers who discontinue their education (mostly girls in some of the regions of Georgia); children from families involved in certain agricultural activities; etc.

45. In the course of 2014, division of identified risk-groups according to relevant educational necessities, definition of list of necessary study and educational

resources for children being out of schools or children under the risk of being out of schools, elaboration of recommendations on basic principles and instruments of evaluation of educational necessities, working with parents on attaining a correct attitude towards education is planned.

46. In order to ensure equal availability of full general education and educational resources, starting from 2013-2014 academic years, the Ministry of Education and Science implements the Programme of Ensuring Students with school handbooks free of charge. Also, within the framework of a Sub-Programme on School Availability, it does not take long for students to get to school, that is an important advantage for students coming from socially vulnerable families.

47. In the field of pre-school care and education, educational materials for Georgian as a second language has been created for the representatives of ethnic minorities, which will assist to the children-oriented study process. This package was handed to regions settled with ethnic minorities, inter alia, including Bolnisi, Dmanisi, Akhalkalaki and Ninotsminda.

48. With the assistance of UNICEF, 8 centres for pre-school children of ethnical minorities have been set up, where they have a possibility to learn Georgian as a second language. To this extent, children are given auxiliary schoolbooks and eminent and audio materials. For this purpose, materials have been distributed to kindergartens and educators were trained. Totally, 16 educators and 130 students were trained.

49. Within the framework of the Program "Youth Students Civic Activity Development" of Ministry of Education and Science of Georgia, dropout children are gradually re-involved in school activities. Beneficiaries (socially unprotected adolescents, teenagers with special needs, IDPs settled in non-Georgian environment,) among them, gipsy teenagers, repatriated and Meskhetian teenagers with no status. Within the scope of the Program, we are given an opportunity to better get to know gipsy teenagers and their parents, talk about the socialization and he'ghtening motivation of involvement of their children. However, lack of ID documents among gypsy hiders their engagement in educational institutes. Due to their traditions and social status, school-aged adolescents are kept home and look after their minor brothers and sisters instead of being involved in the study process, obtaining education with their peers and learning state language. State spares no effort to solve the problem related to their identity documents in order to enroll them in public schools.

50. As regards the teenagers from the Meskhetian families settled in Samtskhe-Javakheti region after 2009, as far as they do not possess a Georgian citizenship, they do not hold a status of repatriates and are unable to make use of state program on financing general education. They are not included in the school database despite that Meskhetian teenagers move from grade to grade with the help of teachers and school administration. Due to the fact that they do not have ID cards, they are banned to be admitted at the exams and have to leave school after 9th grade (All students are obliged to pass obligatory exams on the 9th grade). They have difficulties in speaking state language. Apart from that, repatriate or statusless juveniles live far from educational facilities. Their transportation is ensured as far as possible. Inter-sectoral cooperation is ongoing for solving these problems.

51. Based on the official request made by the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia concerning the matter of issuance of educational certificates to stateless juveniles, raised by the Interagency Governmental Council on Repatriation of Persons Forcefully Sent into Exile from the Soviet Socialist Republic of Georgia by the Former USSR in 1940s (Meskhetian population), The Ministry of Justice was tasked to settle the issuance of residence permits to those stateless persons residing in Georgia prior to 2013 and the Ministry of Education and Science was requested to update relevant database. For the purpose of timely granting residential status to stateless persons, with the assistance of the representatives of regional educational resource centres and public schools, the Ministry of Education and Science updated database and shared with the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia the list of stateless juveniles living in Akhaltsikhe, Vale, Abastumani, Klde and Tsitlubani. Applications of stateless Meskhetians on granting residence permits were also submitted.

52. Apart from problems with documents, due to religious beliefs and customs, social integration process of juveniles belonging to ethnic minorities is hindered. That is the reason the Ministry of Education and Science, in 2009, within the framework of the Program "Youth Students Civic Activity Development", appointed coordinators in schools with children with distinct religious belief and cultural belongings, who meet with parents of internally displaced children, children belonging to ethnic minorities, inter alia, gypsy, and children from meskhetian settlements, that increases confidence and gives an opportunity to exchange information on engagement in educational process. During a leisure time, children, through non-formal meeting with their classmates, are involved in reading and theatre clubs that help them to integrate with their classmates and improve knowledge of state language.

53. Ministry of Education and Science of Georgia launched introduction of inclusive education principles since 2004-2005, with the support of Norwegian Ministry of Education and Research. At the outset, there were 10 public schools of Tbilisi involved in the process; later 10 more schools from different regions of Georgia have been added. Piloting showed that inclusive education is the part of education, therefore, to this date introduction of inclusive education is taking place in all schools of Georgia. There exists multidiscipline team of 40 persons in Georgia, members of which determine the need of special education for the student based on parental request and consult them, school administration and teachers for integrating students with special education necessities in educational process. 3165 students with special necessities has been identified by the team. Regular trainings on inclusive education topics are held to improve skills among teachers, different types of additional literature and guidelines are made, including for blind people.

54. Below, please, see the chart representing a data of discontinuing of education (quantity), based on stages of general education and gender in 2011-2012, 2012-2013, included in the Education Management Informational System of the Ministry of Education and Science of Georgia.

	2011-2012 Academic year		2012-2013 Academic year	
Stage	Girl	Boy	Girl	Boy
primary	206	237	513	596
basic	2 389	4 162	1 416	2 384
secondary	2 400	3 675	3 168	4 068

6. Employment

55. The rights of women in employment places are ensured by the legislation of Georgia and gender-based discrimination is considered as a breach of the legislation. The principle of gender equality includes the issues such as equal salaries.

56. According to Article 42 of the Code on Administrative Offences of Georgia, violation of labour legislation or labour protection rules is punishable by law. In particular, an official of enterprise, institution, organization (notwithstanding its property and organizational-legal form), who has breached labour legislation or labour protection rules, will be punished by hundred minimal amounts of labour salary. The same act, committed during one year after adoption of administrative punishment, will provoke punishment in two hundreds minimal amounts of labour salaries.

57. The amendments introduced in the Labour Code of Georgia in 2013, which entered into force on January 1, 2014, foresees the regulation of women's labour salaries and protection of their rights in place of employment. In addition, the term of maternity leave for pregnancy, delivery and child care have been increased. According to the abovementioned amendments, employed woman, on her own request, is given a maternity leave for pregnancy, delivery and child care in amount of 730 calendar days, 183 from which are salary-compensated, in case of complicated birth or birth of twins — 200 calendar days. The employee, who has adopted a child aged under 1 year, on his/her own request, is given a leave on the occasion of an adoption of newborn child in amount of 550 calendar days from the birth of the child, 90 of which are salary-compensated. Maternity leave for pregnancy, delivery, child care and adoption are reimbursed from the state budget in accordance with the procedures determined by the legislation of Georgia. Employer and employee may agree on additional compensation.

58. According to the Tax Code of Georgia, for single mothers privileged regime of taxes on income is foreseen.

59. Issues of sexual violence are regulated by Articles 137, 138 and 139 of the Criminal Code of Georgia and various penalties are foreseen for such acts. Sexual violence (rape) committed by use of service condition is punished by deprivation of liberty from 6 to 9 years. The law also defines fines and correctional works in case of compulsion of sexual contact and other forms of sexual acts.

7. Health

60. In 2007 National Council on Reproductive Health[1] was established, which is composed of representatives of state institutions, civil society and international

[1] Established by Order N 34/6 of the Minister of Labour, Health and Social Affairs of Georgia.

organizations. The mentioned council coordinates promotion of development of the sphere of reproductive health.

61. In order to improve supervision on reproductive health of mothers and children, in 2011, in National Centre of Disease Control and Social Health special service was established, which regularly learns and analyzes the status of mothers' and children's health and elaborates recommendations for effective reactions by the State.

62. On May 16, 2013, by the Order N01-113/ო of the Minister of Labour, Health and Social Affairs, Coordinating Body for Mothers' and Children's Health was established, the objective of which is the promotion of development of mechanisms for planning, implementing and monitoring of measures to improve mothers' and children's health in the country.

63. In order to ensure increase of awareness and monitoring of cases of mothers' and children's mortality/stillbirth, by the Order of the Minister of Labour, Health and Social Affairs, a form and rule of compulsory notification of cases of mothers' and children's mortality/stillbirth have been adopted.

64. With the financial support from the U.S. Agency for International Development (USAID), on October 7, 2013, detailed evaluation of maternity houses and prenatal services and definition of levels of prenatal services existing in the country have been launched that will become a basis for regionalization of institutions and referral plan. By support from UN Population Fund, periodic trainings for reproduction service providers are undergoing.

65. Elaboration of the Strategy of Health Protection System for 2014-2020 is in progress, which will be completed in the nearest future. In the draft strategy 9 strategic directions are considered, one out of which is the promotion of mothers' and children's health.

8. Rural and older women

66. Women aged above 60 years receive state pension in amount of 150 GEL. In addition, the abovementioned category is insured in the framework of State Health Insurance Programme. Also, within the framework of the State Programme, elderly people, including women, may refer to common services or to elderly people guesthouse services.

9. Women in detention

67. Protection of human rights, including women's rights, in detention facilities is monitored by the Human Rights Division of Prosecutor's Office of Georgia. Among the main functions of the division are: to receive applications on alleged human rights violations in arrest/detention facilities, to reveal facts of torture, inhuman or degrading treatment in arrest/detention facilities and to ensure carrying out of relevant measures.

68. Despite the severe legacy inherited in October 2012 by the new management of the Ministry of Corrections and Legal Assistance of Georgia (hereinafter MCLA), substantial change has followed the initiation of reforms targeting the improvement of medical care, safety, living conditions within the penitentiary establishments, as

well as the re-socialization and rehabilitation of pre-trial and sentenced detainees, including female inmates.

69. Overcrowding/parole boards:

- Alongside with the liberalisation of the Criminal policy and the introduction of the law on Amnesty, efforts by the **revised parole boards, Standing Commission on Early Conditional Release** and the Joint Permanent Commission of MCLA and the Ministry of Labour, Health and Social Affairs of Georgia, have effectively addressed the issue of prison overcrowding. From the 1st of October, 2012 until the 31st of December, 2013 the total prison population decreased from 22,312 to 9,093, among them the number of women inmates decreased from 981 till 250, i.e. by 74.5%. 294 female inmates (including 1 juvenile) were released based on the mechanisms of early conditional release. 141 women inmates were pardoned and 826 amnestied. The Joint Permanent Commission of the MCLA and the Ministry of Labor, Health and Social Affairs of Georgia released 20 women inmates. It should be noted, that in previous years no inmates were released by the latter commission.

70. Infrastructure and living conditions:

- Establishment №5 for female inmates has been functioning since December 20, 2010. It has the capacity of 1,349 female inmates. Currently there are 250 female inmates, of whom 3 are pregnant.

- A "Mother and child Unit" is functioning on the territory of the female Establishment No. 5 and contains specific living conditions adapted to the needs of female inmates and their children up to three years. In particular, the cells contain separate rooms with shower, a fully equipped kitchen, a sitting room with TV and DVD player, and a library which offers a variety of literature and cartoons on CDs suitable for children. Currently, the Mother and child Unit accommodates 4 female inmates with their children. According to the legislative amendments the standard living space for female inmates will be in accordance with the European Standards (minimum 4.5 square meters for convicted female prisoners); in the nearest future individual sentence planning will be piloted on female and life sentence prisoners based on personal assessment of risks and needs.

71. Healthcare:

- The penitentiary healthcare budget was increased by 42%, from 7 million up to 12 million, the salaries for medical staff by 40%, and the annual healthcare expenses per inmate increased from 181 US dollars to 760 US dollars;

- Primary healthcare service is now accessible in all penitentiary establishments. If necessary, inmates are provided with the possibility to be transferred to a civilian medical institution for in-depth medical assistance. Since, October 2012 364 female inmates have been transferred to civilian hospitals. In December, 2012 and October, 2013 medical examinations were provided to female inmates by doctors from civilian hospitals. Based on conducted laboratory and ultrasound examinations appropriate treatments were appointed. Up to 41 consultations have already been conducted since 2013. Screening was provided to all female inmates. 151 voluntarily went through medical

screening of Hepatitis C and B. Pregnant female inmates are regularly provided with gynecological registration at the civilian hospital, which offers consultations and conducts childbirth. The service of a gynaecologist is also accessible at the Establishment No. 5 and it has become possible to consult a visiting mammologist from the civilian hospital;

- A new Rehabilitation Center for treating inmates infected with tuberculosis was opened. Currently there are 2 female inmates. Generally in 2013 the new tuberculosis cases decreased from 800 to 124 in comparison to 2011;
- A penitentiary healthcare drug standard has been adopted and the supply of medication has improved considerably. The annual pharmaceutical expenses per inmate increased from 23 Gel to 128 Gel. The standard mortality rate (SMR) on every 10,000 convicted inmates decreased from 55 to 19 (in absolute numbers, 132 death cases decreased to 25 within a year). A Suicide Prevention Program has been prepared and has started to function. Access to the stationary psychiatric services has been improved: in 2013 there were 177 cases of the referral on psychiatric services;
- According to their needs, breastfeeding mothers, pregnant inmates and mothers with children up to 3 year are provided with a special food ratio based on new food standard, introduced in 2013;
- There are currently 2 drug dependent female inmates residing in Establishment No. 5 who are under psycho-social program "Methadone" within the Penitentiary System and are provided with psychotropic treatment.

72. Re-socialization/Rehabilitation:

- A number of rehabilitation programs are carried out within the Establishment No. 5 for women inmates, these include: psycho-rehabilitation and social skills development programs, trainings on how to "start your own business", felt, batik and quilt making courses, English language courses, trainings on human rights, therapeutic massage courses, cosmetology courses, hairstylist courses, hotel management courses, embroidery, painting, enamel, IT courses, clay work, choreography, and general education;

73. Internal/External Monitoring Mechanisms:

- In order to prevent torture, inhuman and degrading treatment in the penitentiary system, the MCLA has strengthened its internal monitoring mechanisms. A 24 hour hot line was launched and has been operational. In addition to the functional National Preventive Mechanism (NPM, under the Ombudsman's Office), the MCLA initiated the establishment of a new public monitoring council, with the mandate to monitor and advise the MCLA on the human rights situation within the penitentiary establishments and assess the quality of the ongoing reforms in the system. In addition, a number of non-governmental organizations are currently implementing assistance projects within the penitentiary and probation systems. Currently, 6 non-governmental organizations are conducting a survey of inmates in 9 penitentiary establishments concerning their human rights situation.

10. Internally displaced women, refugee, asylum seeking and stateless women

74. By the initiative of the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugee of Georgia the draft law of Georgia on Internally Displaced Persons from Occupied Territories of Georgia has been elaborated.

75. Office of the Public Defender of Georgia, Georgian Young Lawyers' Association (GYLA), Office of the United Nations High Commissioner for Refugees (UNHCR), the Norwegian Refugee Council (NRC), the Danish Refugee Council (DRC) and Social Programme's Fund (SPF) were participating in the course of elaboration of the draft law.

76. The draft law has been harmonized with international norms, Georgian legislation, existing reality in the country and State Policy regarding refugees.

77. According to the draft law, a definition of Internally Displaced Person (IDP) is introduced. According to the definition of IDP, the scope of protection under the law covers all persons, who can become subject of protection under the law in case, when due to the reasons mentioned in the provided definition he/she is forced to leave his/her permanent residence.

78. Out of various novelties reflected in the draft law, especial attention shall be attached to the adoption of a unified approach with respect to IDPs. The terms such as "compact accommodation object of IDPs" and "private accommodation object of IDPs" are abolished that ensures IDPs with equal conditions relating to their residency, quantity of IDP's aid and bearing of communal costs. Accordingly, it is planned to distribute to IDPs the aid in the amount of 45 GEL, instead of 22 and 28 GEL. In addition, all IDPs ensure to cover communal costs themselves, which is a step forward to their integration.

79. The Abovementioned draft law is undergoing the procedures prescribed by the legislation.

80. In order to organize accommodation of IDPs, Order N320 of August 9, 2013 of the Minister of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugee of Georgia on the Adoption of the Statute of Commission on Rule and Criteria of Ensuring IDPs with the Long-term Accommodation Space and on IDPs' issues was elaborated in the Ministry and published thereafter. Ensuring IDPs with long-term accommodation space is being implemented according to the Rule of Ensuring IDPs with the Long-term Accommodation Space. The rule establishes procedures of ensuring long-term accommodation space and, herewith, the rule on distribution of accommodation space, according to the criteria and accommodation space standards adopted by the Order. In addition, the rule foresees the internally displaced families, whose applications on accommodation space have been upheld and the issue of transmission of accommodation space without participation in voting for receiving accommodation according to the health conditions of persons with disabilities, considering specific necessities.

81. Before publishing of the abovementioned Act, neither unified vision and approach, nor a legal regulation existed that would put the process of long-term accommodation of IDPs in the legal framework. By the adoption of the Act, mentioned process has become transparent, unified approach has been developed

and all interested persons have give a possibility to receive full information, as well as appeal the decisions of the Ministry.

82. On June 24, 2013 annual compulsory registration of persons with status of refugee or humanitarian status was launched, which was accomplished by the end of September. The registration of persons with refugee and humanitarian status was held from 24 June, 2013 to 28 June, 2013 in the temporary representation office in village Duisi, and from July 1, 2013 to July 31, 2013 in the Ministry in Tbilisi (address: Tamarashvili str. N 15a).

83. Following works have been already finalized or are in progress:

(a) Registration of IDPs, research of necessities — inter alia, regarding internally displaced women;

(b) The Ministry has concluded several memorandums with non-governmental organizations, in scope of which trainings for the Ministry's employees and internally displaced women are being held;

(c) In order to promote education and professional development of internally displaced students, the Ministry concluded memorandums of cooperation with 3 (three) high educational institutions: the Caucasus International University, the Polytechnic University of Georgia and the Georgian Patriarchate's Georgian University after St. Andrew the First-called;

(d) In various settlements of IDPs three months term project on the prevention of domestic violence is in progress;

(e) For economic support, within the framework of UN Women's and Taso Foundation's project funding of internally displaced women's project applications is in progress;

(f) Among other programmes, FAO provides the internally displaced women with agricultural inventory;

(g) Care International in Caucasus employs internally displaced women and finances them in order to implement small enterprise;

(h) Under the Memorandum between the Ministry and the Western Languages Centre — Cambridge House, 15 internally displaced students, inter alia girls, have been accepted as listeners;

(i) By the end of 2013, research jointly held by the Ministry and UN Women will be finalized, which foresees research of women affected by conflict, inter alia, older women, women with disabilities.